

# SENATE BILL REPORT

## SB 5755

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As of February 13, 2017

**Title:** An act relating to simplifying the population growth criteria for planning required by the growth management act.

**Brief Description:** Simplifying the population growth criteria for planning required by the growth management act.

**Sponsors:** Senator Short.

**Brief History:**

**Committee Activity:** Local Government: 2/09/17.

**Brief Summary of Bill**

- Limits planning under the Growth Management Act (GMA) to large counties and cities that have experienced significant population growth during the previous decade.
- Removes provisions allowing jurisdictions to choose to plan under GMA.

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### SENATE COMMITTEE ON LOCAL GOVERNMENT

**Staff:** Bonnie Kim (786-7316)

**Background:** Growth Management Act (GMA). The GMA is the comprehensive land use planning framework for counties and cities in Washington. The GMA sets forth three broad planning obligations for those counties and cities who plan fully under the GMA: (1) the county legislative authority must adopt a countywide planning policy; (2) the county, and the cities within the county, must designate critical areas, agricultural lands, forestlands, and mineral resource lands, and adopt development regulations accordingly; and (3) the county must designate and take other actions related to Urban Growth Areas (UGAs).

Countywide Planning Policy. A countywide planning policy is a written policy statement used solely for establishing a framework from which county and city comprehensive plans are developed and adopted. The policy must address certain issues, including policies for promoting orderly development and provision of urban services, for siting public capital facilities, and for joint county and city planning within UGAs. Cities and the Governor may

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appeal an adopted policy to the Growth Management Hearings Board (GMHB) within 60 days of adoption.

**Population.** The Office of Financial Management (OFM) determines the population of each county as of April 1st of each year. At least once every five years or on availability of census data, whichever is later, OFM must prepare 20-year growth management planning population projects for each county that adopts a comprehensive plan.

**The Shoreline Management Act of 1971 (SMA).** SMA governs uses of the shorelines of the state. SMA provides for a cooperative regulatory approach between local governments and the state. At the local level, regulations related to SMA are developed in mandatory city and county shoreline master programs (SMPs), which regulate land use activities in shoreline areas. At the state level, the Department of Ecology is charged with reviewing the locally adopted SMPs for compliance with statutory provisions and agency guidelines.

**Summary of Bill: GMA.** The GMA planning requirements apply only to:

1. Counties with a population (1) of 100,000 or more; and (2) increase of at least 20 percent in the previous ten years.
2. Cities with a population (1) of at least 30,000; and (2) increase of at least 20 percent.

Counties and cities are required to adopt a countywide planning policy and comprehensive plan only when OFM has certified the jurisdiction has a population of 100,000 or more. Statutory provisions providing options for jurisdictions to either opt-in or opt-out of planning under the GMA, whether fully or partially, are removed.

**SMA.** In the event a work plan is not approved or fails, only counties required to plan under the GMA must adhere to additional watershed work plan requirements.

**Appropriation:** None.

**Fiscal Note:** Requested on February 16, 2017.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill, with the exception of Section 6, takes effect 90 days after adjournment of session in which bill is passed. Section 5 expires December 31, 2020. Section 6 takes effect December 31, 2010.

**Staff Summary of Public Testimony:** PRO: The population threshold numbers in the GMA were arbitrarily set. This bill is designed to start a conversation about whether everyone should have to plan in such a comprehensive way. The GMA sometimes denies a local government the ability to offer services their public really needs. The GMA does not fit Stevens County, where we have 37 acres per person. The GMA tends to move revenue away from counties and into the cities, resulting in counties losing the ability to provide needed services. The Planning Enabling Act would allow counties to offer all desired services with a very balanced approach. Rural counties need the opportunity to plan like rural counties. Washington should not dictate to every local government how their local planning should be

done. Local jurisdictions want to do things differently. The GMA has resulted in hundreds of lawsuits. Any result giving local governments control will benefit communities.

CON: We understand that one of the unintended consequences of the GMA is that counties are losing money very quickly. The GMA provides important processes for proper long-term planning that leads to lower cost infrastructure.

**Persons Testifying:** PRO: Senator Shelly Short, Prime Sponsor; Wes McCart, Stevens County Commissioner; Glen Morgan, CAPR.

CON: Bryce Yadon, Futurewise.

**Persons Signed In To Testify But Not Testifying:** No one.